

**THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA**

Monday, November 27, 2000

AGENDA

6:30 – 7:00 P.M.

Closed Session

The Board is requested to adjourn to closed session pursuant to G.S. § 143-318.11(a)(6) in order to discuss a personnel matter.

7:00 P.M. Regular Session

1. **Opening of Regular Session**—Pledge of Allegiance

2. **Agenda Adjustments**

3. **Minutes**

- a. October 23, 2000 Regular Session
- b. November 6, 2000 Worksession

4. **Recognition of Outgoing Commissioner William V. Bell**

A reception honoring outgoing Durham County Commissioner William V. Bell was held earlier this evening. Board members have asked for time to extend personal remembrances and good wishes to Commissioner Bell in recognition of 26 years as a Durham County Commissioner.

County Manager's Recommendation: Extend sincere appreciation to William V. Bell for his 26 years of outstanding, visionary leadership while serving as a Durham County Commissioner.

5. **Resolution of Thanks to Carolyn P. Titus**

Commissioner MaryAnn Black requested that a resolution of thanks be prepared for Ms. Carolyn P. Titus in recognition of her outstanding service while serving as Durham County's Interim County Manager. The resolution will be available at the meeting.

County Manager's Recommendation: Present Ms. Titus with the resolution along with sincere congratulations of the Board of County Commissioners.

6. **Resolution of Thanks to Wendell M. Davis**

Commissioner MaryAnn Black requested that a resolution of thanks be prepared for Mr. Wendell M. Davis in recognition of his outstanding service and management assistance during the County Manager interim period. The resolution will be available at the meeting.

County Manager's Recommendation: Present Mr. Davis with the resolution along with sincere congratulations of the Board of County Commissioners.

7. Recognition of Forest View Elementary School's Entrepreneurship Award

Chairman MaryAnn Black requested that officials of Durham Public Schools and Forest View Elementary School attend tonight's meeting to discuss a recent statewide award. Forest View Elementary School was recently recognized as the Entrepreneurship School of the Year for North Carolina.

Resource Person(s): Kathryn Meyers, School Board Chairman; Dr. Ann Denlinger, Superintendent; Ms. Toni Hill, Forest View Principal

County Manager's Recommendation: Extend sincere congratulations to the students and staff of Forest View Elementary School for their significant statewide recognition.

8. Consent Agenda

- a. Resolution to Release Funds to Triangle J Council of Governments (approve the release of funds [\$2,360.17] to Triangle J Council of Governments);
- b. Property Tax Releases and Refunds (accept the property tax release and refund report as presented and authorize the Tax Administrator to adjust the tax records as outlined by the report);
- c. Standard Non-Reimbursable Contract for the Extension of the County Sanitary Sewer System (authorize the County Manager to execute the Utility Contract for this addition to the County sanitary sewer system);
- d. Street Annexation Petition—Big Fork Road (Formerly Bramble Drive) (adopt the resolution to approve the addition of Big Fork Road to the state's road maintenance system subject to the certification of eligibility by the appropriate officials of the NC Department of Transportation);
- e. Board and Commission Appointments—Nursing Home Community Advisory Committee (appoint Deputy Sheriff Ernie C. Mills to the Nursing Home Community Advisory Committee as a chief administrator representative.); and
- f. Offer to Purchase County Property (1314 Marvin Alley) (pursue the upset bid process). The Board has the authority to accept or reject any offer at the conclusion of the upset bid process.

Note: The purpose of a consent agenda is to handle consensus items with one motion to save time on meeting agendas. Any item a Board member pulls for discussion should be placed at the end of the agenda so public hearings can be concluded as early as possible. This will provide for the least inconvenience to the general public attending the public hearings.

9. Public Hearing and Final Approval of Durham County Work First Plan

NC Law (NCGS 108A-27) requires each county's Board of County Commissioners to appoint a committee of local leaders to assist in the development of its Work First Block Grant Plan. On September 25, 2000, the Work First Planning Committee recommended and the Board of County Commissioners voted to seek Electing status to implement its Work First Block Grant.

On November 13, 2000, the committee presented the draft of the Work First Block Grant Plan to the Board for its review and comment. The Board also gave the committee permission to make this draft available to the community for public comment from November 14, 2000 to November 20, 2000 and scheduled a public hearing on the plan at the Board's November 27, 2000 meeting.

The committee requests that the Board of County Commissioners conduct the public hearing and then approve the plan, subject to any revisions desired by the Board. The plan must be submitted to the North Carolina Department of Health and Human Services by December 1, 2000.

Resource Person(s): Dan Hudgins, DSS Director, will be available as resource person for this request.

County Manager's Recommendation: The Manager recommends that the Board conduct the public hearing and if appropriate, approve the Work First Block Grant Plan, subject to any revisions desired by the Board.

10. Durham Public Schools – Special Funding Request for Critical Capital Needs

On September 28, 2000, the Board of Education adopted a special funding request to address critical capital needs in the Durham Public Schools. The \$3,098,800 request is comprised of roofing and driveway repairs, safety and security improvements, technology infrastructure upgrades, purchase and relocation of mobile classrooms, purchase of operational equipment, and support for the preparation of implementing the Long-Range Facilities Plan.

On October 10, 2000, the Board of County Commissioners considered the Board of Education's request and voted to allocate five hundred thousand dollars (\$500,000) towards the request. The \$500,000 served as a local match to leverage an additional \$1.5 million dollars in capital funds from the State of North Carolina. The total two million dollars (\$2,000,000) was targeted to fund eleven projects in nine schools consisting of roofing repairs, driveway repairs, and painting.

In addition to allocating the \$500,000, the Board directed the County Manager to work with the Superintendent to devise a viable funding plan for the remaining \$2,598,800 in critical capital needs. The plan, which has been agreed to by the County Manager and the Superintendent, proposes County funding over three fiscal years.

The Manager recommends that \$515,000 be appropriated for the purchase and installation of 15 mobile classrooms and mobile classroom relocations. Due to the length of time involved in procuring and installing the mobile units, funds need to be available in the near future in order for the units to be ready by July 2001. It is recommended that the \$515,000 appropriation be supported through a General Fund budget transfer of \$340,000 from the Human Services Function and a transfer of \$175,000 from unappropriated Pay-As-You-Go (PAYG) capital project funds.

Resource Person(s): Carolyn P. Titus, Interim County Manager; Kathryn Meyers, Chair, Board of Education; and Ann Denlinger, Superintendent, Durham Public Schools.

County Manager's Recommendation: The Manager recommends that the Board:

1. Adopt the attached funding proposal to meet the critical capital needs of Durham Public Schools;
2. Approve a budget transfer in the amount of \$340,000 from the Human Services Function and a transfer of \$175,000 from unappropriated Pay-As-You-Go (PAYG) capital project funds to allocate a total of \$515,000 to Durham Public Schools; and
3. Direct the County Manager to continue seeking additional funds to meet the school's critical capital needs as outlined in the funding plan presented.

11. Disparity Study

On February 28, 2000, the Board of County Commissioners authorized the County Manager to enter into a contract with Mason Tillman Associates, Ltd. to conduct a disparity study for the County of Durham. In this objective, the County is seeking to determine whether race and gender discrimination continue to affect prime contractor and subcontractor participation in public

contracting activities of the County. It was the position of staff that a second generation disparity study was essential to ensure a legally defensible position for the County in whatever type of program the County establishes, ensuring an equitable field for the County procurement dollars.

On November 13, 2000, Dr. Eleanor Ramsey, President of Mason Tillman Associates, Ltd., presented the findings of the disparity study along with a draft copy of the study to the Board of County Commissioners. Members of the board made inquiries about the study, sought clarifying information, and provided feedback on the report. A final draft of the disparity study has been prepared and will be presented for the Board's review and approval. Also included will be a document containing the information and clarifications requested by the Board during the November 13 meeting.

Resource Person(s): Chuck Kitchen, County Attorney; Wendell Davis, Deputy County Manager; Anthony Allen, Interim Purchasing Director; and Jan Bryant-Berry, Business Development Manager, Purchasing Department

County Manager's Recommendation: The Manager recommends that the Board approve the final draft of the disparity study and direct staff to proceed with the recommended steps for the development of an MWBe ordinance and the development of a MWBe program.

12. **Vehicle Operations Policy**

During the past 18 months, the County has been experiencing an increasing number of automobile accidents. In order to ensure that the drivers of County vehicles are held accountable for their actions and to ensure that unsafe drivers are not allowed to operate County vehicles, a new policy designed to apply to all vehicles owned by the County is proposed. The new policy provides for a check on a person's driving history at the time of hire, and yearly thereafter. A point scale is included which would bar the hiring of persons with poor driving histories who would drive County vehicles, or personal vehicles while transporting clients of the County agencies. Current employees who exceed the allowable point totals would be required to take a Defensive Driving Course at the employee's own expense. If the employee continues to exceed the maximum allowable point total, the employee would not be allowed to operate a County vehicle or transport clients of a County agency until the point total falls below the limit. The points are based on a rolling three-year time frame and are not counted after this three-year period.

The policy also provides safety standards to be followed by drivers of County vehicles and further provides for the verification of insurance on personal owned vehicles used to transport clients.

Resource Person(s): Cathy Whisenhunt, Risk Manager; Chuck Kitchen, County Attorney

County Manager's Recommendation: The Manager recommends the Board approve the Vehicle Operations Policy to help provide for the safety of the public as well as the safety of the employees, and to help limit the liability of the County from accidents.

13. **Resolution Authorizing Issuance and Sale of Bonds for Alston Village**

The financing for Alston Village Apartments is back before the Board for a formal approval of the bond documents and to provide for the issuance of the bonds. This project has been before the Board on three separate occasions, including two public hearings. The project is proposed to be financed using Section 142 tax-exempt financing which has previously been approved. As a technical matter, the approval of the form of the bonds and their issuance is required. Due to the excessive page length, a copy of the bond documents is not included; however, they are available to be reviewed at any time before the meeting or at the meeting. The documents have

been prepared by bond counsel, and have been reviewed by the County Attorney, the Local Government Commission, Fannie Mae, and counsel for Bank of America.

Resource Person(s): Chuck Kitchen, County Attorney

County Manager's Recommendation: Approve the resolution to complete the actions required by the Board so that the financing can be finalized. No County dollars will be used to pay these bonds; the County is only being used as a conduit to provide affordable housing.

14. Interim County Manager's Final Report

Interim County Manager, Carolyn P. Titus, will provide the Board of County Commissioners with a brief report on Durham County Government's progress during the interim period and a summary of current issues and projects.